

AMENDMENTS TO THE CLAIMS:

The listing of claims will replace all prior versions, and listings of claims in the application:

LISTING OF THE CLAIMS

1. (Currently amended) A system for routing instant messaging (IM) messages and short message service (SMS) messages within a communication network, the system comprising:

a first network element including a first destination parser module operative to analyze destination data of an SMS message to determine if the destination data of the SMS message is a telephone number and, if the destination data of the SMS message is not a telephone number, processing the SMS message by a protocol converter included within the first network element, wherein the protocol converter converts the SMS message into a format suitable for transmission of the SMS message through a gateway for a data network; and,

a second network element including a second destination parser module operative to analyze destination data of an IM message to determine if the destination data of the IM message is an e-mail address and, if the destination data of the IM message is not an e-mail address, processing the IM message by a protocol converter included within the second network element, wherein the protocol converter converts the IM message into a format suitable for transmission of the IM message through a gateway for a wireless network.

2. (Original) The system as set forth in claim 1 wherein the first network element is a switching element.

3. (Original) The system as set forth in claim 2 wherein the switching element is a mobile switching center.

4. (Original) The system as set forth in claim 1 wherein the second network element is a router.

5 - 6. (Cancelled)

7. (Previously presented) The system as set forth in claim 1 wherein the first network element is operative to process the SMS message for transmission through the wireless network if the destination data of the SMS message is a telephone number.

8. (Previously presented) The system as set forth in claim 1 wherein the second network element is operative to process the IM message for transmission through the data network if the destination data of the IM message is an e-mail address.

9. (Currently amended) A method for handling instant messaging (IM) messages and short message service (SMS) messages within a communication network, the method comprising steps of:

receiving an SMS message having destination data included therein;

analyzing the destination data to determine if the destination data is a telephone number; and,

processing the SMS message for transmission as an IM message through a gateway for a data network if the destination data is not a telephone number, wherein the receiving, analyzing and processing are performed within a network element.

10. (Original) The method as set forth in claim 9 further comprising:

processing the SMS message for transmission through a gateway for a wireless network if the destination data is a telephone number.

11. (Currently amended) A method for routing instant messaging (IM) messages and short message service (SMS) messages within a communication network, the method comprising steps of:

receiving an IM message having destination data included within;

analyzing the destination data to determine if the destination data is an e-mail address; and,

processing the IM message for transmission through a gateway for a wireless network if the destination data is not an e-mail address, wherein the receiving, analyzing and processing are performed within a network element.

12. (Original) The method as set forth in claim 11 further comprising:

processing the IM message for transmission through a gateway for a data network if the destination data is an e-mail address.

13. (Currently amended) A system for handling instant messaging (IM) messages and short message service (SMS) messages within a communication network, the system comprising:

means for receiving an SMS message having destination data included therein;

means for analyzing the destination data to determine if the destination data is a telephone number; and,

means for processing the SMS message for transmission as an IM message through a gateway for a data network if the destination data is not a telephone number, wherein the means for receiving, means for analyzing and means for processing are included within a network element.

14. (Previously presented) The system as set forth in claim 13 further comprising means for processing the SMS message for transmission through a gateway for a wireless network if the destination data is a telephone number.

15. (Currently amended) A system for routing instant messaging (IM) messages and short message service (SMS) messages within a communication network, the system comprising:

means for receiving an IM message having destination data included within;

means for analyzing the destination data to determine if the destination data is an e-mail address; and,

means for processing the IM message for transmission through a gateway for a wireless network if the destination data is not an e-mail address, wherein the means for receiving, means for analyzing and means for processing are included within a network element.

16. (Previously presented) The system as set forth in claim 15 further comprising means for processing the IM message for transmission through a gateway for a data network if the destination data is an e-mail address.

17. (Previously presented) The system as set forth in claim 1 wherein the first network element is operative to access a subscriber database to determine whether a user subscribes to a service provided by the first network element.

18. (Previously presented) The method as set forth in claim 9 further comprising determining whether a user subscribes to a service for transmitting the SMS message through a gateway for a data network.